



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, July 10, 2012 at 9:00 A.M.

The Clay County Board of Supervisors met July 10, 2012 as per public notice given in the Clay County News on July 5, 2012 a copy of the proof of publication being on file in the County Clerk's Office. Availability of the agenda was communicated in the advance notice of the meeting. Chairman Fintel presided with roll call showing the following present: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Minutes of the meeting held June 26, 2012 were mailed to the board members. All of the proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairman, Ivan Fintel stated that the open meeting law poster is posted on the west wall in the back of the room.

Motion by Johnson and seconded by Schmidt to approve the minutes of the meeting held June 26, 2012 as mailed. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Nuss and Fintel; abstain: Shaw. Motion carried.

There was no public input.

Thomas Roemmich II, Highway Superintendent reported that they are working on a culvert that had washed out. They will be grading roads all week. Tom has talked to other counties about state bidding. He will find out more about the process and this will be discussed again next week.

Motion by Shaw and seconded by Nuss to open the public hearing at 9:15 A.M. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

The notice of hearing was published in the Clay County News. Tom Roemmich II, highway supt. was present; no other persons were present to discuss this matter; no written or oral comments or objections were received.

There were three people present for the discussion of the interlocal agreements with the townships. They said they would like more shredding done on the dirt roads as well as maintenance of those roads more often. They did say the gravel roads were in good condition. The board discussed whether the county had the man power and the time to do more maintenance on the dirt roads. This will be discussed again.

Tom reported on the status of the core samples. The latest samples have been given to Kirkham Michael. Paperwork for relaxation of standards has been sent to the State of NE. Tom will let the board know when he has received all the reports.

It was decided to have someone meet with the board to explain the bonding process.

Motion by Samuelson and seconded by Anderson to close the public hearing at 9:42 A.M. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

An easement requested by Scott Hinrichs for an electric line was discussed. Motion by Anderson and seconded by Johnson to approve the easement requested by Scott Hinrichs for an electric line across Road 304 from the SW ¼ Sec. 18-T5N-R8W to NW ¼ Sec. 19-T5N-R8W for powering two center pivots — agricultural use only. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.



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The easement requested by Donald Stilley to transfer water and electricity was discussed. Motion by Samuelson and seconded by Schmidt to approve the easement requested by Donald Stilley for an electric and water line across Road 322 from the SE ¼ Sec. 17-T8N-R6W to NE ¼ Sec. 20-T8N-R6W for a pivot—agricultural use only. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Barb Barnett, Zoning Administrator presented the quarterly report and preliminary budget request for her office. There were 26 permits issued in the second quarter making a total of 40 permits so far this year with an approximate value of \$2,195,850.00. The budget request for Zoning is \$200.00 lower than last year.

Joni Skalka, Clerk of the District Court presented the preliminary budget request for District Court. The budget request is the same as last year.

The board decided to discuss the custodian's wages when they discuss increases for the rest of the employees.

The board discussed the repairs needed to the courthouse sidewalk and the area on the west side of the Jail. It was decided to see if someone can be found to do the repairs on an as needed basis. This will be discussed again next week.

The probation office had asked for keys to the courthouse. It was decided to see if someone would come and talk to the board about this.

The preliminary figures for Building Improvement, Relief Medical, Institutions, Employment Security, Handicapped Accessibility, Visitor Promotion, Visitor Improvement, Election Sinking Fund, Drug Law Enforcement and Federal Drug Law Enforcement were discussed. Most funding stayed the same or was lowered. The Board worked on their budget which they kept the same as last year. The General Miscellaneous and Inheritance Tax Fund will be reviewed at a later time.

Jack Cox, Veterans Service Officer sent a letter to the board requesting a reappointment to the Veterans Committee. Motion by Shaw and seconded by Anderson to reappoint Anthony Stec to the Clay County Veterans Service Committee for a term of 5 years beginning on July 1, 2012. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

The bond for LaRue Rader was submitted to the board for approval. Motion by Samuelson and seconded by Anderson to approve the bond for LaRue Rader as Secretary/Treasurer for Trumbull Rural Fire District. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Deb Karnatz, County Clerk reported that the Primary election expenses were approximately \$19,287.29 (did not include wages of the clerk's office) of which only \$1,753.39 were billable to subdivisions. Out of 4368 registered voters, 1348 people voted which was approximately 31%. The cost per voter was about \$14.31.

The budget request for the Agricultural Extension Office was presented by Jenny Rees, Extension Educator. The office request is the same as last year; no increase other than what the board decides for salaries.

Bret Schlyer, MGT of America sent the board the cost allocation plan for the fiscal year ending in June 2011. This is the process of figuring costs to be reimbursed to the county for overhead associated with child support activities that the district court has.



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Motion by Nuss and seconded by Shaw to authorize the chairman to sign the certification of cost allocation plan and the Nebraska Health & Human Services Systems Computation of Indirect Costs for the fiscal year ending June 30, 2011. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

The fee reports were circulated for review. Motion by Johnson and by Schmidt to accept the fee reports for the following county officials for the month of June 2012: County Clerk, \$10,452.88, County Court \$12,094.19, Clerk of District Court, \$8,306.89 and County Treasurer receipts #12060001 thru #12060057 in the amount of \$182,992.41. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

Mid-Nebraska Individual Services, Inc. submitted their budget request (via a claim) based on \$1.00 per capita. The request is the same as last year. Motion by Samuelson and seconded by Nuss to grant the budget request of Mid-Nebraska Individual Services, Inc. for fiscal year 2012-2013 in the amount of \$6542.00. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

Ted Griess, County Attorney answered questions about a request to release a water easement from 1935. Since the conditions that prompted the original easement no longer apply, a resolution to rescind the easement was prepared. A contract for the motor patrol building to be built in Edgar has been prepared; this will be signed next week.

The board recessed for lunch at 12:05 P.M. and resumed session at 12:55 P.M.

Motion by Johnson and seconded by Anderson to adopt Resolution #12-08 to rescind a water easement that was filed in Book 18 Page 183 of Misc. records and dated July 1, 1935. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

RESOLUTION #12-08

BE IT RESOLVED by the Clay County Board of Supervisors to rescind a Water Easement and Right To Use Water From Water Conservation Reservoir and Drought Wells dated July 1, 1935, and filed in Book 18 at Page 183 of the Miscellaneous Records of Clay County, Nebraska, with regard to the Southeast Quarter (SE ¼) of Section Eighteen (18), Township Five (5) North, Range Seven (7), West of the 6th P.M., Clay County, Nebraska.

The Clay County Board of Supervisors does hereby find that the reservoir referred to within such Water Easement no longer exists and that such water easement serves no useful purpose to the general public and as such, is hereby rescinded.

Dated: July 10, 2012

ATTEST: /s/ Deborah Karnatz
Clay County Clerk

Clay County Board of Supervisors
By: /s/ Ivan Fintel
Ivan Fintel, Chairman

Motion by Samuelson and seconded by Johnson to adjourn this meeting at 12:58 P.M.; next meeting scheduled for July 17, 2012. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

Deborah Karnatz, County Clerk

Ivan Fintel, Chairman